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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,132	09/18/2003	Alan Chen	105479-58346 (644-030)	7178
26345	7590	05/31/2007	EXAMINER	
GIBBONS P.C. ONE GATEWAY CENTER NEWARK, NJ 07102			GEREZGIHER, YEMANE M	
		ART UNIT	PAPER NUMBER	
		2144		
		NOTIFICATION DATE	DELIVERY MODE	
		05/31/2007	ELECTRONIC	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

thibbits@gibbonslaw.com  
abriggs@gibbonslaw.com  
IPDocket@gibbonslaw.com

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/667,132	CHEN ET AL.
	Examiner	Art Unit
	Yemane M. Gerezgiher	2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 March 2007.
- 2a) This action is FINAL.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-8 and 13-26 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-8 and 13-26 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 24 February 2004 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. The response filed on 03/05/2007 has been entered and made of record.

Claims 1-8 and 13-26 are now pending in this application.

***Response to Arguments***

2. Applicant's arguments filed 03/05/2007 have been fully considered but they are not persuasive.

a. The applicant argues, "North fails to teach each one of a plurality of computer interface units comprising a signaling circuit in communication with and co-located with a corresponding remote computer. Nor does North state that a signal emitted at the computer interface module will distinctly identify the specific remote computer coupled to the computer interface module" (Remark, Page 8, ¶3).

→ Examiner respectfully disagrees. First of all, as addressed in the last office action (see Examiner's Response to argument b.), North did teach "plurality of computer interface units comprising a signaling circuit in communication with and co-located with a corresponding remote computer". Examiner note that North disclosed (Figure 2, Column 8 Lines 23-67) plurality of computer interfaces coupling input and output devices for receiving and transmitting signals when monitoring and controlling the remotely located plurality of computing devices. North disclosed remotely manageable devices (#26-1 through 26-n, in Fig. 2),

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been in communication with a management terminal # 30, and alternatively been connected to plurality of management consoles 38, 36, 32 via a plurality of computer interface modules, which are coupled with the remote manageable devices over a global communication network (Internet # 34).

The inventive entity Further argues an expression not currently/previosly recited in the claims. There is no such a language ("... a signal emitted at the computer interface module will distinctly identify the specific remote computer coupled to the computer interface module") is explicitly recited in the claim. Even so, North further disclosed the plurality of user interfaces coupled with video monitor for displaying information transmitted thereto by a management terminal and further equipped with the conventionally configured keyboard, mouse and other input output devices for generating instruction signals for the remotely monitored and controlled computing devices upon detection a specific event occurs in the network and specifically in any of the remotely located computing devices. See also Column 2, Lines 34-65, Column 6, Lines 40-65, Column 8, Lines 23-67, and Column 16, Line 38 through Column 17, Line 60. Furthermore, North disclosed an event detection module determining an event(s) triggered at the network devices, where "information concerning the event is transferred to an action initiation module where actions such as issuing instructions to

the computing device and generating alerts or other types of notifications to selected consoles are initiated" (see Column 2, Lines 40-65) and "...Using the received information, the action initiation module 104 would determine what action should be taken and initiate the selection action, for example, issuing an instruction to the computing device 26-1 or 26-2 which output the serial data, the analysis of which indicated that an event had occurred. The action initiation module 104 may also initiate generation of an alert message for propagation to a selected one of the consoles 28, 32, 36, or 38".

The applicant has not argued any narrower interpretation of the claim language, nor amended the claims significantly enough to construe a narrower meaning to the limitations. As the claims breadth allows multiple interpretations and meanings, which are broader than Applicant's disclosure, the Examiner is forced to interpret the claim limitations as broadly and as reasonably possible, in determining patentability of the disclosed invention. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Failure for Applicant to significantly narrow definition/scope of the claims and supply arguments commensurate in scope with the claims implies the Applicant intends broad interpretation be given to the claims.

The Examiner has interpreted the claims with scope parallel to the Applicant in the response, and reiterates the need for the Applicant to more clearly and distinctly defines the claimed invention.

It is the examiner's position that the incremental amendment made to the claims so far has been minimal to properly overcome the prior art of record by providing a patentably unique functional limitation to overcome the pending rejection.

**Note:** If further prosecution on the merits of the instant application is pursued, Applicant is strongly encouraged to further incorporate into the independent claim some patentable details or features (if any) of this instant application in order to overcome the pending rejection and perhaps expedite prosecution of this instant application. Any potential amendment to the claims should be properly supported by the original specification and such supporting sections of the specification should be identified.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 13-20, 22 and 24-26 are rejected under 35 U.S.C. 102(e) as being anticipated by North et al (U.S. Patent Number 6,505,245) hereinafter referred to as North.

As per claims 1: A remote computer management system [See Title, Abstract and Column 5, Lines 40-60] comprising:

a plurality of remote computers; [See Abstract, Fig. 2 and Column 5, Lines 41-60: North disclosed a method and a system for remotely monitoring and controlling plurality of network devices connected in the network].

at least one user interface unit coupled to a keyboard, video monitor and cursor control device to said remote computers, said user interface unit comprising circuitry for receiving and transmitting keyboard, cursor control device and video signals; [See Abstract, Figures 1a-2, Column 8 Lines 23-67: North taught a system administrator's management device having therein an interface coupling input and output devices for receiving and transmitting signals when monitoring and controlling the remotely located plurality of computing devices. North further disclosed the user interface coupling with video monitor for displaying information transmitted thereto by a management

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terminal and further equipped with the conventionally configured keyboard, mouse and other input output devices for generating instructions for the remotely monitored and controlled computing devices. For further details See Column 2, Lines 34-65, Column 6, Lines 40-65, Column 8, Lines 23-67, and Column 16, Line 38 through Column 17, Line 60]; and

a plurality of computer interface units, each of said computer interface units being Column-located with and coupled to one of said remote computers, said computer interface units comprising circuitry for receiving and transmitting keyboard, cursor control device and video signals, and a signaling circuit for generating a signal upon detection of a specific event [See Abstract, Figure 2, Column 8 Lines 23-67: North taught plurality of computer interface coupling input and output devices for receiving and transmitting signals when monitoring and controlling the remotely located plurality of computing devices. North further disclosed the plurality of user interfaces coupled with video monitor for displaying information transmitted thereto by a management terminal and further equipped with the conventionally configured keyboard, mouse and other input output devices for generating instruction signals for the remotely monitored and controlled computing devices upon detection a specific event occurs in the network and specifically in any of the remotely located computing devices. See also Column 2, Lines 34-65, Column 6, Lines 40-65, Column 8, Lines 23-67, and Column 16, Line 38 through Column 17, Line 60];

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a computer management unit which bi-directionally communicates with said user interface unit and said computer interface unit [Fig. 2 and Column 8, Lines 60-67, North disclosed a management unit coupled with multiple interfaces of the managed network devices and where the communication been bi-directional ( $\leftrightarrow$ , Fig. 2, #s 76 and 74)].

wherein said computer interface unit bi-directionally communicates with said user interface unit over a network [Fig. 2 and Column 8, Lines 60-67, North disclosed the communication been bi-directional ( $\leftrightarrow$ , Fig. 2, #s 76 and 74)];

As per claim 13: wherein said system further comprises a computer management unit coupled to said computer interface units enables bi-directional communication among said user interface units and said remote computers [Fig. 2 and Column 8, Lines 60-67, North disclosed a management unit coupled with multiple interfaces of the managed network devices and where the communication been bi-directional ( $\leftrightarrow$ , Fig. 2, #s 76 and 74)].

As per claim 14: wherein said user interface unit sends a request to said computer interface unit via said computer management unit [Fig. 2, Column 11, Lines 57-67 and Column 17, Lines 15-17].

As per claim 15: wherein said signaling circuit signal is generated in response to said request [Column 6, Lines 40-67 and Column 16, Lines 41-45,

North disclosed a function of determining and generating event/status of response alert signal of a monitored network devices where the event detected to indicate operational status of a monitor-able communication devices].

As per claim 16: wherein said signaling circuit signal is transmitted to said user interface unit, which displays a notification message on said video monitor upon receipt of said signaling circuit signal [Column 6, Lines 40-67, Column 16, Lines 41-45 and Column 8, Lines 23-67].

As per claim 17: A remote device management system [See Title, Abstract and Column 5, Lines 40-60] comprising:

a plurality of remote interface modules, each said remote interface module for physically connecting to keyboard, cursor control device and video cables of one a plurality of remote devices and for receiving and transmitting keyboard, cursor control device and video signals [See Abstract, Figure 2, Column 8 Lines 23-67: North taught plurality of computer interface coupling input and output devices for receiving and transmitting signals when monitoring and controlling the remotely located plurality of computing devices. North further disclosed the plurality of user interfaces coupled with video monitor for displaying information transmitted thereto by a management terminal and further equipped with the conventionally configured keyboard, mouse and other input output devices for generating instruction signals for the remotely monitored and controlled computing devices upon detection a specific

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event occurs in the network and specifically in any of the remotely located computing devices. See also Column 2, Lines 34-65, Column 6, Lines 40-65, Column 8, Lines 23-67, and Column 16, Line 38 through Column 17, Line 60];

    a signaling circuit within said remote interface module responsive to a signaling circuit control signal, wherein said signaling circuit is capable of generating a signal in response to said signaling circuit control signal [Column 6, Line 40 through Column 7, Line 5];

    at least one management unit coupled to each of said remote interface modules [Fig. 2, #30 (a management unit) coupled to (44-1 - 44-N) remote interface modules; and

    at least one user interface device coupled to a keyboard, cursor control device, and video monitor for receiving and transmitting keyboard; cursor control device and video signals; wherein said user interface device is capable of producing said signaling circuit control signal [See Abstract, Figures 1a-2, Column 8 Lines 23-67: North taught a system administrator's management device having therein an interface coupling input and output devices for receiving and transmitting signals when monitoring and controlling the remotely located plurality of computing devices. North further disclosed the user interface coupling with video monitor for displaying information transmitted thereto by a management terminal and further equipped with the conventionally configured keyboard, mouse and other input output devices for

generating instructions for the remotely monitored and controlled computing devices. For further details See Column 2, Lines 34-65, Column 6, Lines 40-65, Column 8, Lines 23-67, and Column 16, Line 38 through Column 17, Line 60]; and wherein each said remote interface module is connected via a single network cable to said management unit [Fig. 2, North disclosed a remote console interfaced with network via a single communication medium as desired in column 2, Lines 28-43].

As per claim 18: wherein said response signal indicates the status of said remote devices [Column 6, Lines 40-67 and Column 16, Lines 41-45, North disclosed a function of determining and generating event/status of response alert signal of a monitored network devices where the event detected to indicate operational status of a monitorable communication devices].

Claim 19 has substantially similar limitation as claim 18 above. Thus, it is rejected under the same rationale. Furthermore, North taught the status been a status of the monitored module in the network device remotely managed and controlled (see Column 16, Lines 41-45).

As per claim 20: wherein said response signal is transmitted to said user interface device and upon receipt of said response signal, a status message is displayed on said video monitor [Column 6, Lines 40-67, Column 16, Lines 41-45 and Column 8, Lines 23-67].

As per claim 22: North disclosed monitoring for events at said plurality of remote devices via said interface module comprising a signaling circuit [Column 2, Lines 33-42, Column 3, Lines 5-18]; detecting said event at said interface module; producing a response signal in response to said event detection [Column 2, Lines 52-55, North disclosed detecting an event and generating a signal information indicating the detected event]; transmitting said signal to said user interface device [Column 2, Lines 61-65, North disclosed transmitting information signal alert indication of the detected event]; and displaying a notification message on a video monitor in response to said transmitted signal [Column 6, Lines 40-67, Column 16, Lines 41-45 and Column 8, Lines 23-67]; and emitting a form of the signal at the interface module detecting the event [Column 2, Lines 34-65, Column 6, Lines 40-65, Column 8, Lines 23-67, and Column 16, Line 38 through Column 17, Line 60]; wherein said notification message indicates an occurrence of said event [Column 6, Lines 50-59].

As per claim 24: wherein said signaling circuit produces said response signal [Column 6, Lines 40-67 and Column 16, Lines 41-45, North disclosed a function of determining and generating event/status of response alert signal of a monitored network devices where the event detected to indicate operational status of a monitor-able communication devices].

Claim 25 recite limitations substantially the same as in claim 1. Thus, it is rejected with the same rationale.

As per claim 26: wherein the signal is emitted at a computer interface unit that detected the specific event [Column 6, Lines 40-67, Column 16, Lines 41-45 and Column 8, Lines 23-67].

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-8, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over North et al (U.S. Patent Number 6,505,245) as applied to claim 1 above and further in view of Srinivasan et al (U.S. Pub. No: US 2004/0148385 A1) hereinafter referred to as Srinivasan.

The teachings of North substantially disclosed the invention as claimed. However, North was silent about generating an audible or visual signal in response to a detection of an event in the plurality of remotely monitored network devices.

However, as evidenced by the teachings of Srinivasan to emit an audible and visual alert (as in claims 2-4 and 21) in response to a detection of an event in the plurality of remotely monitored network devices was known in the art at the time of the invention. See Page 3 ¶ [0032]. A GUI generating a signaling control signal (claim 10) was taught by Srinivasan. See Fig. 1 and Page 2 ¶[0022]&[0025]. Furthermore Srinivasan taught generating the audible alert/signal (claims 5 and 6) in response to a hardware and/or firmware condition on the monitored computer device(s). See Page 3 ¶ [0032] and Page 4 ¶ [0037]-[0041]. Now an artisan working with the teachings of Srinivasan related to generating an audible signal, generating signals to indicate an event detected on a monitored network devices would have been aware such a notification alert would be used in indicating status of any other task such as of applicants claimed limitations “in response to the completion of a firmware upgrade on said computer interface” (as in claims 6, 7 and 23), “audible signal indicating the status of an upgrade to said computer” (as in claim 8), would have been obvious modifications, which does not change the scope of the invention disclosed by Srinivasan, because making use of one audible signal to indicate an event associated with software or hardware related event (as disclosed by Srinivasan) to indicate other types of events would have been an arbitrary or an obvious modification to one of ordinary skill in the art at the time the invention was made. See Figures 1-5, Page 1 ¶ [0009] through page 2 ¶ [0025], and Page 3 ¶ [0027-0032].

Thus, it is respectfully submitted that it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the teachings of Srinivasan related to generating an audible or visual signal in response to a detection of an event in a plurality of monitored computing devices and have modified the teachings of North related to remotely monitoring and controlling plurality of network elements in a communication network in "order to provide automatic notification as to any network server problems and to provide corrective actions to be taken". See Page 2 ¶ [0020].

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yemane M. Gerezgiher whose telephone number is (571) 272-3927. The examiner can normally be reached on 9:00 AM - 6:00 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Y. Gerezgiher,  
Patent Examiner,  
AU: 2144

  
WILLIAM VAUGHN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100